



COPIES PAPERS  
ORIGINAL FILED

DAC  
AAP  
\$

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: Balay 1-20-3-1-1

In re Application of: Francois Balay, Barry K. Britton, Paul A. Langner,  
John B. McCluskey and Shakeel H. Peera

Serial No: 10/045,643  
Filed: 11/07/01  
Matter No.: 992.0328

Art Unit: 2661  
Examiner: Not yet assigned

For: Protocol-Independent Packet Delineation For Backplane Architecture

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION  
FILING DATE GRANTED**

RECEIVED

JUN 20 2002

OFFICE OF PETITIONS

Attn: Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application -- Filing Date Granted," mailed from the U.S. Patent and Trademark Office on 04/02/02, the following are submitted herewith and form a part of this response:

1. A copy of the Notice to File Missing Parts of Application;
2. Declaration and Power of Attorney Executed by Francois Balay;

\*

\*

\*

\*

\*

Certification Under 37 CFR 1.8

Date of Deposit June 3, 2002.

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Mary E. Caniz  
(Name of person mailing)

Mary E. Caniz  
(Signature of person mailing)

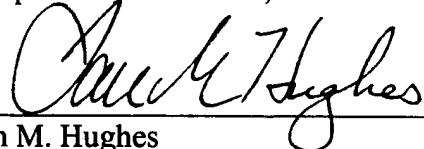
3. Declaration and Power of Attorney Executed by Barry K. Britton;
4. Declaration and Power of Attorney Executed by Paul A. Langner;
5. Declaration and Power of Attorney Executed by John B. McCluskey;
6. Declaration and Power of Attorney Executed by Shakeel H. Peera;
7. Recordation Form Cover Sheet; and
8. Assignment and Agreement Executed by Francois Balay;
9. Assignment and Agreement Executed by Barry K. Britton;
10. Assignment and Agreement Executed by Paul A. Langner;
11. Assignment and Agreement Executed by John B. McCluskey;
12. Assignment and Agreement Executed by Shakeel H. Peera;
13. Petition Under 37 CFR 1.181; and
14. Certification.

A check in the amount of \$1,376.00 as payment of the statutory basic filing fee (\$740.00), the additional claims fee (\$336.00), the surcharge (\$130.00), the statutory assignment filing fee (\$40.00), and the petition fee (\$130.00).

The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §§ 1.16 and 1.17 which are associated with this communication or credit any overpayment to **Mendelsohn & Associates, P.C. Deposit Account No. 50-0782**. Two copies of this document are enclosed.

Date: June 3, 2002  
Customer No. 22186  
Mendelsohn & Associates, P.C.  
1515 Market Street, Suite 715  
Philadelphia, Pennsylvania 19102

Respectfully submitted,

  
\_\_\_\_\_  
Ian M. Hughes  
Registration No. 41,083  
Attorney for Applicant  
(215) 557-6659



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/045,643	11/07/2001	Francois Balay	Balay 1-20-3-1-1

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 9841

FORMALITIES LETTER



\*OC000000007768554\*

Steve Mendelsohn & Associates, P.C.  
Suite 715  
1515 Market Street  
Philadelphia, PA 19102

Date Mailed: 04/02/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/18/2002 MBIZUNES 00000008 10045643

RECEIVED

FILED UNDER 37 CFR 1.53(b)

JUN 20 2002

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	252.00 OP
04 FC:102	84.00 OP

Filing Date Granted

OFFICE OF PETITIONS

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$336.
  - \$252 for 14 total claims over 20.
  - \$84 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1206.

Adjustment date: 06/18/2002 MBIZUNES

06/17/2002 MBIZUNES 00000007 10045643

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	252.00 OP
04 FC:102	84.00 OP

The following item(s) appear to have been omitted from the application:

06/17/2002 MBIZUNES 00000007 10045643

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	252.00 OP
04 FC:102	84.00 OP

- Figure(s) 2 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed

within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

---

*A copy of this notice MUST be returned with the reply.*

M-HAILE

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE